



House of Representatives

General Assembly

File No. 149

February Session, 2018

Substitute House Bill No. 5330

House of Representatives, April 3, 2018

The Committee on Children reported through REP. URBAN of the 43rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING HOMELESS CHILDREN ENROLLING IN CHILD CARE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-79 of the general statutes is amended by
2 adding subsection (e) as follows (*Effective July 1, 2018*):

3 (NEW) (e) Notwithstanding the provisions of subsection (a) of this
4 section relating to physical examination and immunization
5 requirements, homeless children and youths, as defined in 42 USC
6 11434a, as amended from time to time, may be granted a temporary
7 waiver to attend such center or home for up to ninety days in the
8 absence of a physical examination form or documentation of
9 immunization, provided such homeless children and youths shall
10 receive a physical examination conducted by a physician licensed
11 pursuant to chapter 370, a physician assistant licensed pursuant to
12 chapter 370 or an advanced practice registered nurse licensed pursuant
13 to chapter 378, within seven calendar days of enrollment in such center
14 or home. Any child care center or group child care home that provides

15 child care services to homeless children and youths at such center or
16 home shall maintain a record on file of all temporary waiver
17 determinations conducted under this subsection while such homeless
18 children or youths are receiving child care services at such center or
19 home and for a period of two years after such homeless children or
20 youths are no longer receiving child care services at such center or
21 home.

22 Sec. 2. Section 19a-87b of the 2018 supplement to the general statutes
23 is amended by adding subsection (h) as follows (*Effective July 1, 2018*):

24 (NEW) (h) Notwithstanding the provisions of subsection (f) of this
25 section relating to physical examination and immunization
26 requirements, homeless children and youths, as defined in 42 USC
27 11434a, as amended from time to time, may be granted a temporary
28 waiver to attend such home for up to ninety days in the absence of a
29 physical examination form or documentation of immunization,
30 provided such homeless children and youths shall receive a physical
31 examination conducted by a physician licensed pursuant to chapter
32 370, a physician assistant licensed pursuant to chapter 370 or an
33 advanced practice registered nurse licensed pursuant to chapter 378,
34 within seven calendar days of enrollment in such home. Any family
35 child care home that provides child care services to homeless children
36 and youths at such home shall maintain a record on file of all
37 temporary waiver determinations conducted under this subsection
38 while such homeless children or youths are receiving child care
39 services at such home and for a period of two years after such
40 homeless children or youths are no longer receiving child care services
41 at such home.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	19a-79
Sec. 2	July 1, 2018	19a-87b

Section 1	July 1, 2018	19a-79
Sec. 2	July 1, 2018	19a-87b

Statement of Legislative Commissioners:

In Sections 1 and 2, the language was redrafted for accuracy of reference.

KID *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Early Childhood, Off.	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill could result in a cost to the Office of Early Childhood (OEC) to the extent it allows homeless children to participate in a state-funded child care program earlier than they otherwise would have. The actual cost would depend on the number of applicable children and the average monthly cost per child. The number of children this applies to is not currently known. Per-child costs generally range from approximately \$220 to \$890 per month and vary by program, type of care, child care setting, age, and region.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to (1) the number of homeless children granted the temporary waiver to attend a child care center or home without certain documentation, and (2) the monthly cost per child.

OLR Bill Analysis**sHB 5330*****AN ACT CONCERNING HOMELESS CHILDREN ENROLLING IN CHILD CARE.*****SUMMARY**

This bill permits homeless children and youths, as defined under federal law (see BACKGROUND), to be granted a temporary waiver to attend a child care center, group child care home, or family child care home for up to 90 days without a physical examination form or immunization documentation. (It is unclear if the facility or the Office of Early Childhood (OEC), which licenses these facilities, would provide the waiver.)

The law generally requires children to be up to date on their immunizations in order to attend a child care center, group child care home, or family day care home. OEC Regulations require these facilities, as a condition of licensure, to have records that include documentation of attending children's immunizations and recent physical examination forms (Conn. Agencies Reg. §§ 19a-79-5a, 19a-87b-10).

Under the bill, as a condition of the waiver, the child or youth must receive a physical examination by a licensed physician, physician assistant, or advanced practice registered nurse within seven calendar days of enrolling in the home or center. The bill does not require the child's or youth's parent or guardian to submit proof of this examination in order for the child to remain in the facility.

Under the bill, any of the above facilities that provide child care services to homeless children and youths must keep a record on file of all temporary waiver determinations while the child or youth receives services there and for an additional two years after the child or youth

no longer receives services.

EFFECTIVE DATE: July 1, 2018

BACKGROUND

Child Care Facilities

A “child day care center” offers or provides supplementary care to more than 12 children outside their own homes on a regular basis.

A “family child care home” is a private family home caring for up to six children, including the provider's own children not in school full-time, where a child is cared for between three and 12 hours per day on a regular basis. Care may be provided for up to 72 consecutive hours to accommodate a need for extended care or intermittent short-term overnight care. During the regular school year, a family child care home may provide care to more than six children in certain cases.

A “group day care home” (1) offers or provides supplementary care to between seven and 12 children on a regular basis or (2) meets the family day care home definition, except that it is not in a private family home (CGS § 19a-77).

Homeless Children and Youths

Under federal law, a homeless child or youth is a person who lacks a fixed, regular, and adequate nighttime residence and includes children and youths who:

1. share housing with other people due to loss of housing, economic hardship, or a similar reason;
2. live in motels, hotels, trailer parks, or camp grounds due to lack of alternative adequate accommodations;
3. live in emergency or transitional shelters;
4. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a sleeping accommodation for humans; or

5. live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

Children or youth abandoned in hospitals are also homeless under federal law, as are migratory children in any of the circumstances described above (42 U.S.C. § 11434a and 20 U.S.C. § 6399).

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 13 Nay 0 (03/15/2018)